

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1 through 10 are pending in the application.

The applicants appreciate the Examiner's indication that claims 6 and 7 would be allowable if they were in an independent form.

The applicants also appreciate the Examiner's acknowledgement of the certified copy of the priority document, and consideration of the information cited by applicants in their Information Disclosure Statement.

The specification and claims have been corrected, as requested by the examiner.

Claim 4 stands rejected under Section 112, second paragraph, as being indefinite. The office action questions whether claim 4 is in conflict with claim 1.

It is respectfully submitted that claim 4 is not in conflict with claim 1 and that therefore claim 4 is not indefinite. The last three lines of claim 1 recite canceling prohibiting the correction of the air quantity when a braking system of a vehicle is put in an operative state. This corresponds to the YES portion of Step S34 in Figure 5. Claim 4 recites prohibiting correcting the air quantity when a brake system of the vehicle is put in an inoperative state. This corresponds to the NO portion of Step S34.

Claims 1 through 5 and 9 through 10 stand rejected as anticipated by Sato. Claim 8 stands rejected under Section 103 as being unpatentable over Morita in view of Sato.

Claim 1 recites a controller which is arranged "to prohibit correcting the air quantity for a first predetermined time period from a moment when a state of an accelerator of the engine is changed from an operative state to an inoperative state." The other independent claims recite similar limitations.

It is noted that with this feature of the present invention, an unnecessary increase of the supplied air quantity is prevented when there is no risk of engine stall and therefore fuel consumption (which changes with air quantity) is improved.

The office action cites column 8, lines 28 through 52 of Sato as disclosing this feature. However, this portion of Sato does not disclose this feature. This portion of Sato does not mention an accelerator and does not disclose this feature of the claimed invention. In fact, a key word search of Sato for the term "accelerator" or "gas pedal" on the Patent Office website indicates that the term "accelerator" or "gas pedal" are not discussed in Sato. Because at least this feature of the present claims is clearly not disclosed or suggested by the cited prior art, the claimed invention is clearly patentable over the art of record.

It is thus respectfully submitted that the application is now in condition for allowance.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

By



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